MIAMIBEACH

PLANNING DEPARMTENT

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139

Tel: (305) 673-7550, Fax: (305) 673-7559

November 20, 2020

Javier L. Vazquez Berger Singerman 1450 Brickell Avenue, Suite 1900 Miami, FL 33131

Subject: Request for Zoning Interpretation – Lot Width

6455 Pine Tree Drive Circle

Miami Beach, FL

Folio No. 02-3233-001-0700

Dear Mr. Vazquez:



Please be advised that the subject property is currently zoned RS-3, Single-Family Residential District and has a future land use designation of Single-Family Residential. This district is designed to protect, and preserve the identity, image, environmental quality, privacy, attractive pedestrian streetscapes, and human scale and character of the single-family neighborhoods and to encourage and promote new construction that is compatible with the established neighborhood context.

In accordance with Section 142-102 of the Land Development Regulations of the Code of the City of Miami Beach, the main permitted use is **single-family detached dwellings**.

You have requested a formal interpretation regarding certain aspects of the subject property, as well as requirements for land board review. The following is a response to each such request:

Lot Width

Pursuant to Section 142-105(b)(1) of the City's Land Development Regulations (LDR's), the minimum lot width for a RS-3 zoned property is 60'-0" and is measured at the required front yard setback line and parallel to the front street line. Based on the survey provided, by American Services of Miami, Corp, dated January 17, 2018, the lot width for the subject property appears to be 44'-0".

Notwithstanding, Section 118-390(d) of the LDR's provides that the term "legally established" applies to a lot that does not meet the lot frontage, **lot width**, lot depth, and/or lot area requirements of the current zoning district, provided that such lot **met the regulations in effect at**

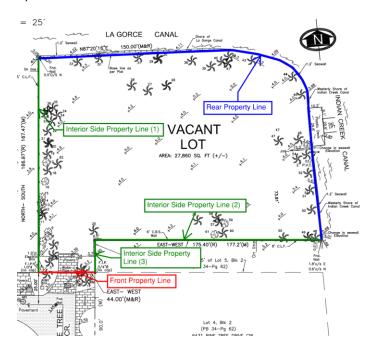
the time of platting.

According to City records, at the time of platting in 1934, the subject property was zoned RC – Estate District. Under the RC development regulations in place in 1934, the minimum lot area was 10,000 square feet and there was no minimum lot width requirement. Furthermore, although the lot lines between lot 4 and lot 5 were later modified, this modification did not result in a reduction of the originally platted lot width.

Since there was no minimum lot width requirement in place when the lot was originally platted, and the front / lot width of the parcel has remained unchanged since 1934, the existing lot width of 44 feet satisfies the criteria in Sec. 118-390 as it "met the regulations in effect at the time of platting". As such the lot, as presently configured, would not require any modifications to the lot width, nor would a variance application be required for a development project on the site.

Required Yards

The property's required yards have been determined as follows:



Lot Depth

Due to the property's irregular shape, the lot depth is the average length of Interior Side Property Line (1) and Interior Side Property Line (2), as depicted in the above diagram.

Applicability of Division of Land / Lot Split Regulations

Section 118-321 of the LDR's sets forth the requirements and regulations pertaining to a division of land and lot splits, including Planning Board review of a lot split application. Staff did not locate any records of a previous request or approval of a lot split for the subject property.

6455 Pine Tree Drive Circle Zoning Interpretation – Lot Width November 12, 2020 Page 2

However, it appears that the subject property was subdivided prior to the adoption of the current lot split regulations in Sec. 118-321 of the LDR's. As such, Planning Board review of a lot split application would not be required for the subject property's existing configuration.

DRB Review

The subject property is not required to comply with Section 142-105(b)(9) of the City's Land Development Regulations, pertaining to DRB review of new construction on properties that have received Planning Board approval for a lot split.

If we may be of further assistance, please do not hesitate to contact this department again.

Sincerely,

Thomas R. Mooney, AICP

Planning Director

Zone1020-0649